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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

15 STATE OF CALIFORNIA, et al.,

Case No. 3:22-cv-02583-JD

16 Plaintiffs,

Related Case No. 3:22-cv-02576-JD

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**JOINT STIPULATION TO EXTEND
TIME TO FILE REPLY IN SUPPORT
OF EXTENDING STAYS AND TO
COMBINE REPLY WITH
OPPOSITION TO PLAINTIFFS'
CROSS-MOTION TO LIFT STAYS**

18 || UNITED STATES POSTAL SERVICE, et al..

Current reply date: November 4, 2022
Current opposition date: November 10, 2022

23 New combined reply/opposition date:
November 10, 2022 at 12 pm PT

1 CLEANAIRNOW, et al.,

2 Plaintiffs,

3 v.

4 LOUIS DEJOY, et al.,

5 Defendants.

Case No. 3:22-cv-02576-JD.

Related Case No: 3:22-cv-02583-JD

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**JOINT STIPULATION TO EXTEND
TIME TO FILE REPLY IN SUPPORT
OF EXTENDING STAYS AND TO
COMBINE REPLY WITH
OPPOSITION TO PLAINTIFFS'
CROSS-MOTION TO LIFT STAYS**

Current reply date: November 4, 2022
Current opposition date: November 10, 2022

New combined reply/opposition date:
November 10, 2022 at 12 pm PT

1 Pursuant to Civil Local Rule 6-2, Plaintiffs State of California, State of New York,
2 Commonwealth of Pennsylvania, State of Colorado, State of Connecticut, State of Delaware, State
3 of Illinois, State of Maine, State of Maryland, People of the State of Michigan, State of New Jersey,
4 State of New Mexico, State of North Carolina, State of Oregon, State of Rhode Island, State of
5 Vermont, State of Washington, District of Columbia, City of New York, The Bay Area Air Quality
6 Management District, CleanAirNow, Center for Biological Diversity, and Sierra Club (Plaintiffs)
7 and Defendants United States Postal Service, and Louis DeJoy (Postal Service) (Defendants)
8 (collectively, the parties) hereby stipulate to extend the deadline for Defendants to submit its replies
9 in support of its motions to extend the litigation stays to November 10, 2022 at 12 pm PT. The
10 parties further stipulate that Defendants will file a combined, up-to-15-page reply in support of the
11 motions to extend the litigation stays and opposition to Plaintiffs' motion to lift the litigation stays
12 in compliance with the submission requirements for opposition briefs in the Court's Standing
13 Orders.

14 WHEREAS on April 28, 2022, Plaintiffs in *California v. United States Postal Service* and
15 *CleanAirNow v. DeJoy* filed their complaints.

16 WHEREAS on August 1, 2022, the Court stayed both actions in light of the then-pending
17 Judicial Panel on Multidistrict Litigation proceedings.

18 WHEREAS on October 7, 2022, the Judicial Panel on Multidistrict Litigation denied
19 centralization.

20 WHEREAS on October 14, 2022, Defendants moved to extend the litigation stays until after
21 the Postal Service completes the supplemental environmental review of the Next Generation
22 Delivery Vehicles Acquisition Program and issues a revised Record of Decision.

23 WHEREAS on October 27, 2022, Plaintiffs filed a combined joint cross-motion to lift the
24 litigation stay and opposition to Defendants' motions to extend the litigation stays.

25 WHEREAS the parties agree that it is more efficient for the Court and the parties if
26 Defendants file a single combined reply in support of its motions to extend the stays and opposition
27 to Plaintiffs' motion to lift the stays.

NOW, THEREFORE, IT IS HEREBY STIPULATED by and between the parties, through their respective counsel, that (1) the deadline for Defendants to submit its replies in support of its motions to extend the litigation stays is extended to November 10, 2022 at 12 pm PT; and (2) Defendants will file a single combined, up-to-15-page reply in support of the motions to extend the litigation stays and opposition to Plaintiffs' motion to lift the litigation stays in compliance with the submission requirements for opposition briefs in the Court's Standing Orders.

November 2, 2022

Respectfully submitted,

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Attorneys for Plaintiff State of Colorado

ATTESTATION

I, Timothy S. Bishop, hereby attest, pursuant to Civil Local Rule 5-1(i)(3), that concurrence in the filing of this document has been obtained from each signatory.

/s/ Timothy S. Bishop
Timothy S. Bishop

DECLARATION OF TIMOTHY S. BISHOP

I, Timothy S. Bishop, hereby declare, under penalty of perjury and pursuant to 28 U.S.C. § 1746, as follows:

1. I am a partner with the law firm of Mayer Brown LLP, and counsel of record for Defendants United States Postal Service and Louis DeJoy in the above-captioned matter. I have personal knowledge of the facts asserted in this declaration, and could and would competently testify to them if called as a witness.

2. On April 28, 2022, Plaintiffs in *California v. United States Postal Service* and *CleanAirNow v. DeJoy* filed their complaints.

3. On August 1, 2022, the Court stayed both actions in light of the then-pending Judicial Panel on Multidistrict Litigation Proceedings.

4. On October 7, 2022, the Judicial Panel on Multidistrict Litigation denied centralization.

5. On October 14, 2022, the Postal Service moved to extend the stays in both cases until after the Postal Service completes the supplemental environmental review of the Next Generation Delivery Vehicles Acquisition Program and issues a revised Record of Decision.

6. On October 27, 2022, Plaintiffs filed their combined joint cross-motion to lift the stays and opposition to Defendants' motions to extend the stays.

7. The parties agree that it is more efficient for the Court and the parties if Defendants file a combined reply in support of its motions to extend the stays and opposition to Plaintiffs' motion to lift the stays by November 10, 2022 at 12 pm PT.

8. The parties have not previously modified the schedule for the above-captioned matters.

9. The parties agree that Defendants shall file a combined reply in support of its motions to extend the stays and opposition to Plaintiffs' cross-motion to lift the stay by November 10, 2022 at 12 pm PT.

10. The parties agree that Defendants' combined reply shall comply with the submission

1 requirements for opposition briefs in the Court's Standing Orders.
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3 11. Besides extending by 6 days the deadline for Defendants' replies in support of the
4 motion to extend the litigation stays, the extension agreed to by the parties will not alter the date of
any event or any deadline already fixed by Court order.
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6 12. This extension is not sought for delay or any other improper purpose.
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8 Dated: November 2, 2022
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10 /s/ Timothy S. Bishop
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12 Timothy S. Bishop
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